

PROB 12A
DMT Rev 8-18

UNITED STATES DISTRICT COURT
FOR
DISTRICT OF MONTANA
Report on Offender Under Supervision

Name of Offender: Bart Linden Holt

Docket Number: 0977 1:05CR00101-001

Name of Sentencing Judicial Officer: THE HONORABLE RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE

Reassigned to Judicial Officer: THE HONORABLE SUSAN P. WATTERS
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 11/02/2006

Original Offense: 18:2422.F; COERCION OR ENTICEMENT OF FEMALE/MALE, 18:2252A.F;
ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD
PORNOGRAPHY

Original Sentence: 120 months custody, 180 months supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 04/18/2014

NON-COMPLIANCE SUMMARY

Background

On 11/02/2006, the defendant appeared for sentencing before THE HONORABLE RICHARD F. CEBULL, UNITED STATES DISTRICT JUDGE, having pled guilty to the offenses of 18:2422.F; COERCION OR ENTICEMENT OF FEMALE/MALE, 18:2252A.F; ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY. The offense involved the defendant utilizing Yahoo! Instant Message to initiate and engage in cybersex chats with an individual he believed to be a 13-year-old female. Through these chats, the defendant arranged to meet this individual in Billings, Montana, to engage in sexual conduct. The defendant was arrested upon arrival at the location they agreed to meet. The defendant admitted engaging with who he thought was a 13-year-old girl in cybersex chat sessions, sending web cam video of himself masturbating, and discussing his intention of traveling from Missoula to Billings to have sex with her. Following his arrest, the defendant's computer was found to have images and videos of child pornography. The defendant was sentenced to 120 months custody, followed by 180 months supervised release. The defendant began the current term of supervised release on 04/18/2014.

On September 26, 2017, a Report on Offender under Supervision was filed stating the defendant had missed seven urinalysis tests, did not answer truthfully to the probation officer, didn't notify the probation officer at least 10 days prior to any change in residence or employment, didn't get prior approval for his employment, and failed to comply with State or Montana Sex Offender Registration. The probation office requested no further action and no action was taken by the Court.

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Since that time, the probation officer believes the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	Standard condition 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
2	Special condition 6: The defendant shall not be allowed to do the following without prior written approval from the probation officer, you must not: knowingly reside in the home, residence, or be in the company of any child under the age of 18; with the exception of your own children; go to or loiter within 100 yards of school yards, parks, playgrounds, arcades, or other places primarily used by children under the age of 18.

On April 24, 2021, the undersigned officer received information that minors were on the defendant's property participating with adults in an outdoor gathering. The undersigned officer drove over to the defendant's residence and observed minors on the defendant's property.

On April 26, 2021, the defendant reported to the probation office. The defendant was asked what he did on April 24, 2021. His initial story was he got up at 7:30 a.m. and started preparing brats and chicken for their annual burn party. He left the residence at 9:30 a.m. to take his mother to the Emergency Room. He stated he did not return home until 6:00 p.m. The defendant stated no minors were at his residence.

The undersigned officer confronted the defendant regarding seeing minors at his property. The defendant then changed his story to "maybe" minors were at his property. After furthering questions, the defendant then admitted minors were at his property but that he didn't get within a certain distance of them.

The defendant initially said he didn't communicate or interact with minors but then changed his story when questioned further on this. He stated he did have contact with them because he had to pull his dog away from one because the child was getting too close to the dog. The defendant did not receive prior approval to be in the company of minors on April 24, 2021.

U.S. Probation Officer Action:

The defendant's actions are concerning to the United States Probation Office. He knowingly had unapproved contact with minors at his private residence knowing it was a violation of his conditions. He knew it was a violation and attempted to deceive the probation office by lying about it. The defendant never took full responsibility for his actions and continued to give excuses and justify his actions. He continuously believes there is no violation of his conditions. The defendant at one point stated he didn't lie about the unapproved contact, he just needed to further clarify the situation. The undersigned officer verbally reprimanded the defendant for his non-

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compliance and instructed him to re-read his conditions of release. The undersigned officer discussed the ways to get approval in the future to be in the company of children. We discussed having his significant other go through chaperone training with a sex offender treatment provider. Currently, the defendant has no approve chaperones. Despite the concerning violation as outlined above, I would respectfully ask the Court to take no further action at this time.

Reviewed

By: 

Derek Hart
Supervising United States Probation
Officer
Date: 04/26/2021

Respectfully Submitted

By: 

Mark Henkel
United States Probation Officer
Date: 04/26/2021

ORDER OF COURT

- ☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons
☒ Agrees with U.S. Probation Officer's recommendation


Susan P Watters

United States District Judge

4-27-2021

Date